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**Sent:** Monday, January 23, 2006 1:50 PM  
**To:** MLPA\_iteam@resources.ca.gov  
**Cc:** Steve Shimek  
**Subject:** MLPA\_ITEAM: Comments on SAT materials and EcoTrust Data

January 23, 2006

Re: SAT Guidance

Dear MLPA-I Team

We would like to address some ideas and concerns we have with the guidance offered at the January 20 SAT meeting and with the materials posted for that meeting. We are hopeful you will consider these ideas before releasing (posting) documents to the public and BRTF later today.

**Kelp lease issue:** It is our understanding that the BRTF will be provided with SAT analysis of MPA Packages as proposed (without discounting protection levels based on existing kelp leases). We appreciate the effort SAT members have gone through to do this analysis and strongly support it being presented to the BRTF as the "primary" analysis (if both analyses are made available). Package proponents designed their packages in accordance with the direction provided by John Kirlin in December. We would have designed our package differently if we had thought the Packages would be evaluated with the leases taken into account even in cases where we have proposed modifications to existing leases. Specifically, we were (and are) prepared to split affected MPAs into nearshore and offshore components.

**SAT Evaluation of Proposed MPA Packages:** The importance of submarine canyons should be called out in the text and the inclusion of canyon habitat in the various packages should be noted. Canyons should be a listed habitat in (all) Table 1 and Figure 4. We understand this is underway.

**MPA Size Presentation (Gaines):** There were various recommendations on how to label column headings in the size and spacing graphs and charts. We recommend that the headings should be as close as possible to the language within the MPF: "Below Minimum", "Meets Minimum" and "Better Choice".

**Socio-Economic Data Impacts:** Hard data was presented for fishing impacts but no comparable data is available for the positive effects of MPAs on non-consumptive uses such as SCUBA diving and wildlife viewing; the Scholz and Pendelton deliverables were not equivalent. We are concerned that this has the effect of distorting the evaluation by inflating the potential negative impacts of packages that are more protective of natural heritage values. To better illustrate how packages optimize benefits and minimize adverse impacts (per one of the RSG objectives), the subjective valuation exercises done with fishermen, like the distribution of a hundred pennies to determine stated importance, could be done with a full range of stakeholders, including divers, wildlife enthusiasts and conservationists. This method seems as valid for valuing areas to protect as for valuing areas for fishing. As it is, we have a one-sided view that gives a misleading impression of the likely impacts associated with an MPA. Will the results of the non-consumptive use

surveys (initial results were included in the Regional Profile) be included in the materials for the SAT?

**Trends:** Much of the Fisheries data analysis is static. It does not look at fact that some of the fisheries in the region are trending downward in value or are not rebuilding under status quo management (e.g. canary, cowcod, cabezon). Some MPA packages could have a beneficial effect on these fisheries, but a static analysis of “stated importance” or % of fishing grounds protected will not reveal that possibility. The static nature of the impact analysis should be explained. Also, the Pendleton and Rooke analysis of recreational fishing reports projected increases in the future value of marine recreational fishing in California (top of p. 7). An effort should be made to explain the apparent contradiction between this projection and the flat trend in Pacific Ocean only sport fishing licenses over the past 20 years and mostly declining trend of sport fishing licenses for all waters, as reported in the Regional Profile (p. 56).

### **Rockfish Conservation Area**

It is our understanding that the Rockfish Conservation Area was not acknowledged in the Fisheries data. We are concerned that this could skew the results and potentially inflate impacts associated with MPAs that overlap significantly with the RCA closures (such as Package 2’s Portuguese Ledge, Point Lobos, Point Sur, Big Creek and Piedras Blancas MPAs. While this impact would be felt by all Packages, those with higher levels of protected in RCA affected areas would be disproportionately impacted. Some text explanation of how the RCA might affect the data would be very useful.

### **Ecotrust Commercial Fishing Data and Summary Text:**

1. There are mistakes that need correction—likely unavoidable for a project of this kind. As an example, the tables indicate an impact on spot prawns and salmon for Package 2, Point Lobos SMCA (take of spot prawns and salmon allowed). Astrid noted this error at the SAT meeting but we want to be sure it is corrected.
2. Data shows impacts on pelagics (sardines and mackerel) for intertidal and shallow SMRs. We expect this is a result of the methodology of apportioning impacts across a fishing block. However, the result is to inflate the potential impacts associated with several small, nearshore MPAs that were specifically designed to not result in any impacts to fishing. See Opal Cliffs SMCA for example (MPA extends only to 10 foot water depth).
3. Shows impacts on many fisheries when area has already been closed for a long period of time - i.e. Shows impact on Baldwin Creek to Natural Bridges (State Parks has enforced a closure for many years). Data shows impacts associated with Carmel Bay SMCA for a variety of fisheries, however, this SMCA has precluded commercial fishing since 1976 and we do not propose an expansion of the existing boundaries. This error may also affect impacts attributed to both Cypress Pinnacles and Point Lobos SMRs since both overlap with a portion of the existing Carmel Bay SMCA. The result would be to inflate the potential impacts associated with these MPAs.
4. The methodology does not allow for ‘positive’ values. Package 2 eliminates several MPAs. The elimination of the MPA at Julia Pfeiffer Burns could have significant value to several fisheries including nearshore rockfish and spot prawn. This could be noted in the text.
5. As noted in the cover summary, the Data reflects maximum potential values because it assumes no shift in effort which will certainly occur. It is our understanding that

the Channel Islands has seen no overall decrease in landings since MPAs went into effect. We urge more detailed explanation of this issue be included in the materials.

6. Sample size and terminology need to be identified and explained. There is little explanation of how "value" is determined. Some fisheries have much greater value than others. We recommend that the word "value" be replaced with "stated importance," per comments in the SAT meeting, and that the text clarify that the valuation exercise reflects judgments by fishermen over their whole career, not adjusted for the impacts on specific places of overfishing, rockfish conservation areas, and other changes. In other words, the identification of a nearshore area as high value does not necessarily mean that fishing is currently available there or allowed. We suggest that the bar graph "% area of total fishing grounds affected" in Handout #13, for example, be revised to show fisheries in order of economic value. We are concerned that this data will be misinterpreted as an economic impact analysis.
7. Without disclosure of GIS maps or appropriate summary information from them, this data cannot be effectively used by Package proponents to adapt packages to lessen potential impacts. It could be very useful to this task if we were able to access the data at the fishery specific level.
8. This may only be a partial list.

#### **Ecotrust Recreational Fishing data:**

1. There appear to be some errors and omission in the data. As an example, we do not understand Package 2's impact on "rockfish area", "Trips" and "Maximum Trips" in Morro Bay SMCA. We do not believe that rockfish fishing occurs within the Bay itself.
2. Totals are not shown. There is no indication of the total number of "trips" and it is therefore impossible to determine the relative importance of impacts.
3. The source of this data (sample size, etc) should be included.
4. Data shows impacts on many fisheries when area has already been closed for a long period of time - i.e. Shows impact on Baldwin Creek to Natural Bridges (State Parks has enforced a closure for many years). This error is pervasive.
5. This may only be a partial list.

Thank you!

Steve Shimek and Kaitilin Gaffney

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